

No. 1479-4Lab-76/6173.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute, between the workmen and the management of M/s Havells Electrical (Sales) Corporation, Mathura Road, Faridabad:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 11 of 71

between

THE WORKMEN AND THE MANAGEMENT OF M/S HAVELLS ELECTRICAL (SALES)  
CORPORATION, MATHURA ROAD, FARIDABAD  
AWARD

By order No. ID/FD/236/B/8271, dated 19th February, 1971, the Governor of Haryana, referred the following disputes between the management of M/s Havells Electrical (Sales) Corporation, Mathura Road, Faridabad and its workmen to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the workmen are entitled to the grant of bonus for the year 1969-70? If so, with what details?

The parties appeared in this Tribunal and filed their pleadings giving rise to an issue in terms of the dispute as stated above.

Shri Shankar Lal Misra authorised representative for the workman appearing before me on 25th July, 1975 was granted an adjournment on a request made by him on the ground that Shri Sagar Ram Gupta authorised representative for the workmen appearing earlier could not be present for unavoidable reason. He was accordingly directed to arrange for the appearance of a duly authorised representative for the workmen on 7th October, 1975, being declared as a holiday on account of Id festival, the case was put up before me on 10th October, 1975. When Shri Shankar Lal Misra appeared for the workmen and Shri D. C. Chadha represented the management. Shri Shankar Lal was directed to adduce evidence in support of the issue, on 21st January, 1976 when he absented himself and sent an application (attached with connected reference No. 80 of 1969) praying for grant of an adjournment on the ground of ailment of his brother. The application being not accompanied by any Medical Certificate or affidavit was rejected and *ex parte* proceedings were taken up against the workmen.

The workmen failed to adduce their evidence despite many opportunities were being to them for establishing their case. It would be interesting to note that whereas the demand was raised on behalf of the workmen by one Satai Ram representing himself to be the President of Havells Workers Union Registered Faridabad, the statement of claim was filed on their behalf by Shri Amar Singh Sharma. Shri Sagar Ram Gupta however appeared for the workmen on 22nd March, 1971 and was subsequently succeeded by Shri Shankar Lal who represented himself to be the General Secretary of Havells Electrical Workers Union. None of these representatives filed any authority on behalf of the workmen entitling him to represent them. The demand raised by the workmen leading to this reference do not thus appear to have been prosecuted diligently. No witness was summoned on behalf of the workmen despite many opportunities being granted to them in this connection, and finally none appeared for the management resulting in *ex parte* proceedings against them. All this led to a conclusion beyond doubt that the workmen were not interested in pursuing their demand leading to the reference and their case remained unestablished.

I accordingly in absence of any evidence for the workmen in support of the issue hold that they are not entitled to the grant of bonus for the year 1969-70. I answer the reference while returning the award in terms of my findings made above.

MOHAN LAL JAIN,

Presiding Officer,

Industrial Tribunal, Haryana,  
Faridabad.

Dated, the 29th January, 1976.

No. 183, dated 2nd February, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,

Industrial Tribunal, Haryana,  
Faridabad.

Dated, the 2nd February, 1976.